

PATENT APPLICATION
Attorney Docket No.: 1403-20 (OPP20061491US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): CHA, Jae-Sun et al. GROUP ART UNIT: 2617
APPLICATION NO.: 10/588,248 EXAMINER: Pierre Louis DESIR
FILING DATE: April 30, 2007
FOR: HANDOVER METHOD IN WIRELESS PORTABLE INTERNET
SYSTEM

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**37 C.F.R. § 1.131 DECLARATION OF PRIOR INVENTION MADE IN
THE UNITED STATES, A NAFTA COUNTRY, OR A WTO MEMBER
COUNTRY TO OVERCOME CITED PATENT PUBLICATION**

We, Jae-Sun CHA and Sung-Cheol CHANG, do each hereby declare that:

1. I am an inventor of the invention recited in at least one of the claims in U.S. Patent Application No. 10/588,248 ("the present invention").
2. This Declaration is submitted to establish invention of the above-referenced patent application in the United States of America, in a NAFTA member country, or in a WTO member country.
3. This Declaration is submitted to establish conception of the present invention as described in the above-referenced patent application in the Republic of Korea prior to January 2, 2004, which I have been informed is the publication date of "Revision of Hand-over Mechanism for Mobility Enhancement," IEEE C802.16e-04/10, *Barber*, which I have been informed was cited by the Examiner against the above-referenced patent application.

4. This Declaration is further submitted to establish reduction to practice of the invention in the United States, a NAFTA member country, or a WTO member country.
5. This Declaration is further submitted to establish diligence from prior to January 2, 2004 until a subsequent reduction to practice or to the filing of Korean Patent Application No. 10-2004-0006626 on February 2, 2004, which I have been informed this U.S. application serial number 10/588,248 claims priority to.
6. To establish the date of reduction to practice of the invention of the above-referenced patent application, the following documents are attached hereto and are submitted as evidence:
 - a. Exhibit A, which is a photocopy of an Invention Report, maintained by Electronics and Telecommunications Research Institute (hereinafter, "ETRI") in the ordinary course of business;
 - b. Exhibit B, which I have been informed is a certified translation of Exhibit A;
 - c. Exhibit C, which is a certified translation of Korean Patent Application No. 10-2004-0006626, which was filed with the Korean Intellectual Property Office on February 2, 2004, and to which the present applications claims priority.
7. The Invention Report, provided as Exhibit A, establishes conception of my invention prior to January 2, 2004.
8. Diligence existed from prior to January 2, 2004, until a subsequent reduction to practice or to the filing of Korean Patent Application No. 10-2004-0006626 on February 2, 2004. Diligence in reducing the invention to practice is shown by the following chronology of acts:
 - a. On September 18, 2003, the Invention Report of Exhibit A, was received by You Me Patent & Law Firm with instructions to draft a new Korean patent application based on the description of my invention provided in the Invention Report;
 - b. On February 2, 2004, You Me Patent & Law Firm filed the application with the Korean Intellectual Property Office, which assigned Korean Patent Application No. 10-2004-0006626 to the application (See Exhibit C).

9. Accordingly, there was diligence from prior to January 2, 2004, until February 2, 2004, when Korean Patent Application No. 10-2004-0006626 was filed.
10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

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